

SAN ANTONIO PLANNING COMMISSION

α

PUBLIC NOTICE SUPPLEMENT

α

In addition to other scheduled items to be heard by the Planning Commission at its January 23, 2008 meeting, the Commission will be asked to consider the following item:

VARIANCES and APPEALS:

Council District

Ferguson Map Grid

- | | | | |
|---------------|--|---|---------|
| 1. FPV 08-008 | South Rim CLOMR | 8 | 514 D-4 |
| | (On the northeast corner of I H 10 West and Loop 1604) | | |

Note: This item was placed on the agenda after the regular packet was printed.

THE DEVELOPMENT AND BUSINESS SERVICES BUILDING IS WHEELCHAIR ACCESSIBLE. HANDICAP PARKING SPACES ARE LOCATED ON THE SOUTH SIDE OF THE BUILDING. AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST. INTERPRETERS FOR THE DEAF MUST BE REQUESTED AT LEAST 48 HOURS PRIOR TO THE MEETING BY CALLING 207-7245 VOICE/TDD.

PLANNING COMMISSION
FLOODPLAIN PERMIT VARIANCE REQUEST
AGENDA ITEM NO: _____ January 23, 2008

SOUTH RIM CLOMR

#FPV 08-008

COUNCIL DISTRICT: 8

FERGUSON MAP GRID: 514 D-4

OWNER: Thomas Enterprises, Ltd., by Robert Bergmann

ENGINEER: Pape-Dawson Engineers, by Troy Dorman, P.E.

CASE MANAGER: Ernest Brown, Planner (207-5017)

Location: On the northeast corner of I H 10 West and Loop 1604

Proposed Use: Commercial

APPLICANT'S REQUEST:

The applicant has requested a variance to the flood plain requirement in conjunction with the building permit process.

DISCUSSION:

The Department of Public Works has responded to the variance request as indicated in their attached report and does not object to the granting of the variance.

STAFF RECOMMENDATION:

The Department of Public Works recommends **approval** of the floodplain variance request for the following reasons:

Analyses submitted by Pape-Dawson Engineers indicate that the proposed reclamation will not increase 100-year water-surface elevations in the area, and the proposed development will not have an adverse impact to habitable structures or drainage systems downstream.



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

November 7, 2007

Administrative Exception/Variance Request Review
c/o Development Services Staff
City of San Antonio
Development Services Department
1901 S Alamo
San Antonio, TX 78204

Re: South Rim Development (Leon Creek) Conditional Letter of Map Revision (CLOMR)
Plat No. 070481
Code Chapter 35, Appendix F, Subdivision C, Section A, (f)(21)

Dear COSA DSD:

In accordance with Section 35-F135 of the Floodplain Ordinance, we are requesting a variance to Subdivision C, Section A, paragraph (f)(21), which prohibits 100-year floodplain reclamation for properties where the depth is greater than 3 ft. The site is located northeast of the intersection of FM 1604 and IH-10. The project consists of approximately 378-acres bound by Vance-Jackson Road to the east, FM 1604 to the south and Leon Creek to the north and west. The South Rim Development is the final phase of the larger "Rim" development. The proposed improvements will not impact the channel conveyance but will provide definition to the overbank areas. The amount of reclamation that is being considered is the minimum amount necessary to allow the client to fully develop a flooded area that does not contribute to the floodway of Leon Creek. The following reasons are based on approval criteria outlined in Article IV, Section of 35-483(e):

If the applicant complies with provisions of these regulations as set out in the City of San Antonio Unified Development Code Appendix F (C) (A) (f), item (21), the applicant would not be able to make reasonable use of the developable land within their property. By filling within an ineffective flow area of the channel, the client is able to make full use of the developable land within their property.

The attached table contains a comparison between the modeled 1% pre-project and post-project ultimate development water surface elevations and velocities. The column labeled "WSE Percent Difference" shows that the water surface elevations are all within 1% of the expected values (pre-project elevations). This is sufficient evidence to substantiate that the project will result in no noticeable differences to the floodplain elevations.

The last column in the table compares the pre-project and post-project total velocity. The model does indicate increases in velocity within the project area; however, all of the significant increases (greater than 1%) to velocity are due to the removal of illegally placed fill. The data indicates that the proposed fill would not negatively impact the ability of Leon Creek to convey flood flows, or negatively impact flooding upstream or downstream of the project.

The proposal is consistent with past projects within the City of San Antonio and will be designed in a manner that accounts for hydrostatic and hydrodynamic forces that may accentuate erosion. The intended channel modifications satisfy the NFIP 44CFR60.3(b)(7), which requires that the flood carrying capacity within an altered or relocated portion of a watercourse be maintained. Although the water surface increases negligibly within the study area, it also decreases and ties into the existing floodplain, creating no adverse impacts upstream and downstream of the proposed development.

- 1. If the applicant complies strictly with the provision of these regulations, he/she can make no reasonable use of his or her property:***

If the applicant complies, they are limited to the extent of developable area.

- 2. The hardship relates to the applicant's land, rather than personal circumstances:***

This hardship relates to the land and not the applicants personal circumstances.

- 3. The hardship is unique, or nearly so, rather than one shared by many surrounding property owners:***

This hardship relates specifically to this site and is not shared by the surrounding property owners.

- 4. The hardship is not the result of the applicant's own actions:***

The hardship faced by the applicant, is not a result of their actions.

- 5. The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in accordance with these regulations:***

If this variance is granted, it will not be injurious to other property and its effects will only affect the area within the project limits of the site.

COSA DSD

South Rim Development (Leon Creek)

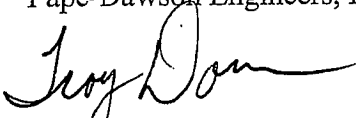
November 7, 2007

Page 3 of 3

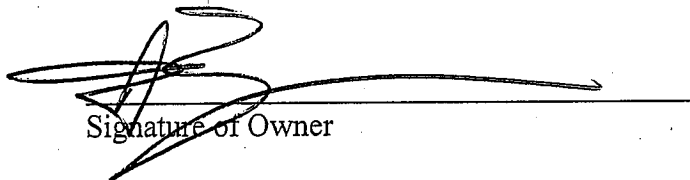
By performing a detailed engineering analysis, we know that, despite fill being placed in an overbank area where the depth is greater than 3 ft, the impacts of granting this variance would result in no adverse effects to the upstream or downstream floodplain due to development. We also believe that the project design is consistent with the goals and intent of Appendix F of the UDC (COSA Floodplain Ordinance). We appreciate your consideration of this request.

Sincerely,

Pape-Dawson Engineers, Inc.



Troy Dorman, Ph.D., P.E.
Vice President, Water Resources


Signature of Owner

Attachments

P:\66\74\50-Flood Study\Word\Letters\070824- Variance Request.doc

CITY OF SAN ANTONIO
DEPARTMENT OF PUBLIC WORKS
Interdepartmental Correspondence Sheet

TO: City of San Antonio Planning Commission
Murray H. Van Eman, Chairman

FROM: W. Erwin Burden, P.E., C.F.M., Floodplain Administrator,
Public Works Dept.

COPIES TO: Robert Browning, P.E., C.F.M., file

SUBJECT: Floodplain Development Permit Variance Request –
South Rim CLOMR
FPV# 08-008

DATE: January 10, 2008

Storm Water Engineering Division of Department of Public Works has reviewed the request for variances from floodplain ordinances as submitted by Pape-Dawson Engineering on behalf of their client Robert Bergmann for the above mentioned project. It is recommended by the Department of Public Works that this variance to the UDC be approved for the reasons cited below.

1. The subject Floodplain Development permit does not meet the following City of San Antonio Unified Development Code (UDC) requirements:

- Chapter 35, Appendix F, Subdivision C, Section A, (f) (21) –[Where watershed drainage areas are greater than three hundred and twenty (320) acres] one hundred-year floodplain reclamation is not allowed in overbank areas where flood depths exceed three feet (3') or where flood velocities are greater than three (3) fps.

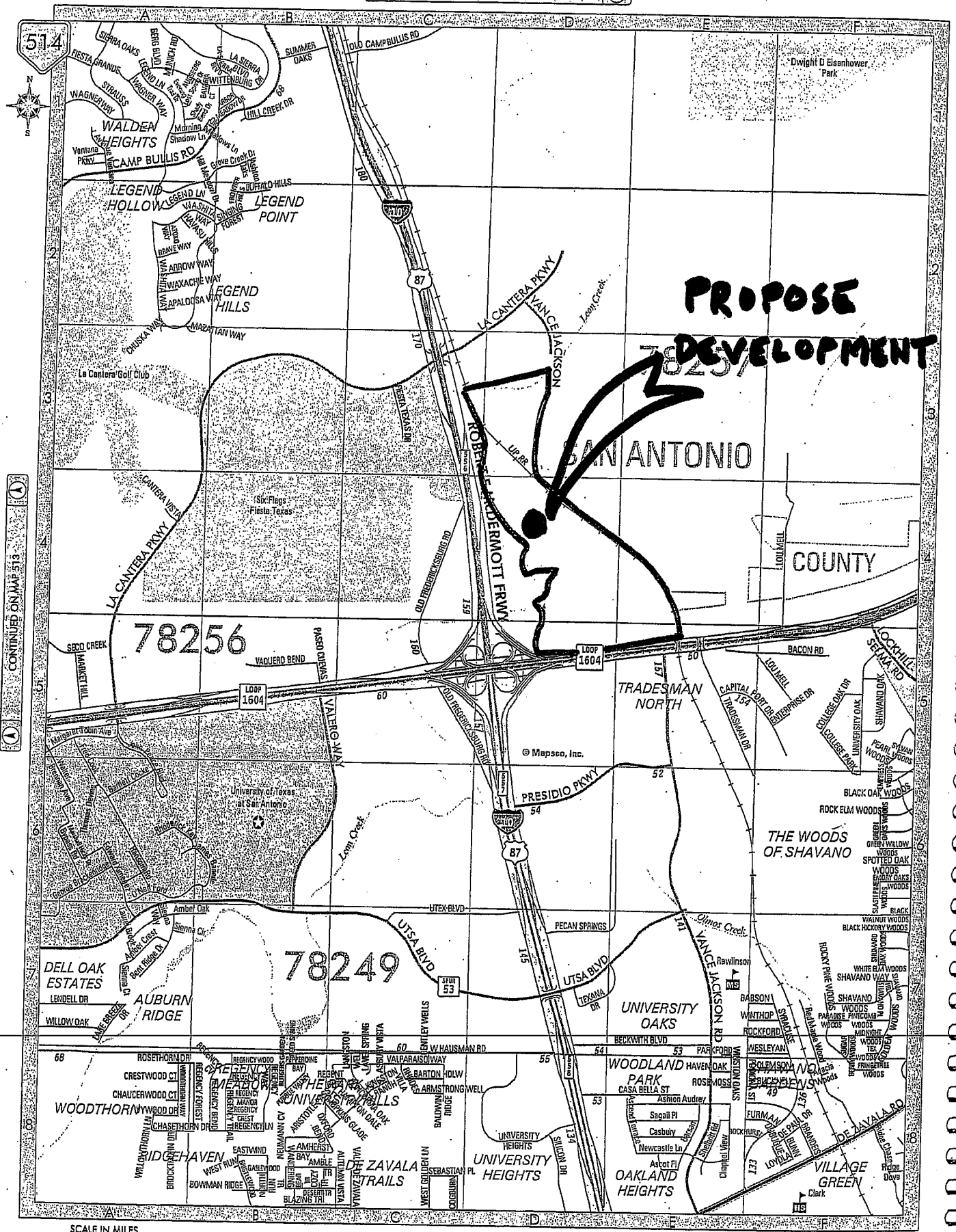
2. A variance to the above UDC sections will be required prior to Public Works issuance of the requested Floodplain Development Permit.

3. Public Works would support this variance because:

- Analyses submitted by Pape-Dawson Engineers indicate that the proposed reclamation will not increase 100-year water-surface elevations in the area, and the proposed development will not have an adverse impact to habitable structures or drainage systems downstream.

Please contact Bret Spence, E.I.T. at 207-0556 or Robert Browning, P.E., C.F.M. at 207-5890 if you have any questions or require additional information.

 TGW/eb



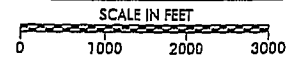
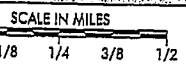
**PROPOSE
DEVELOPMENT**

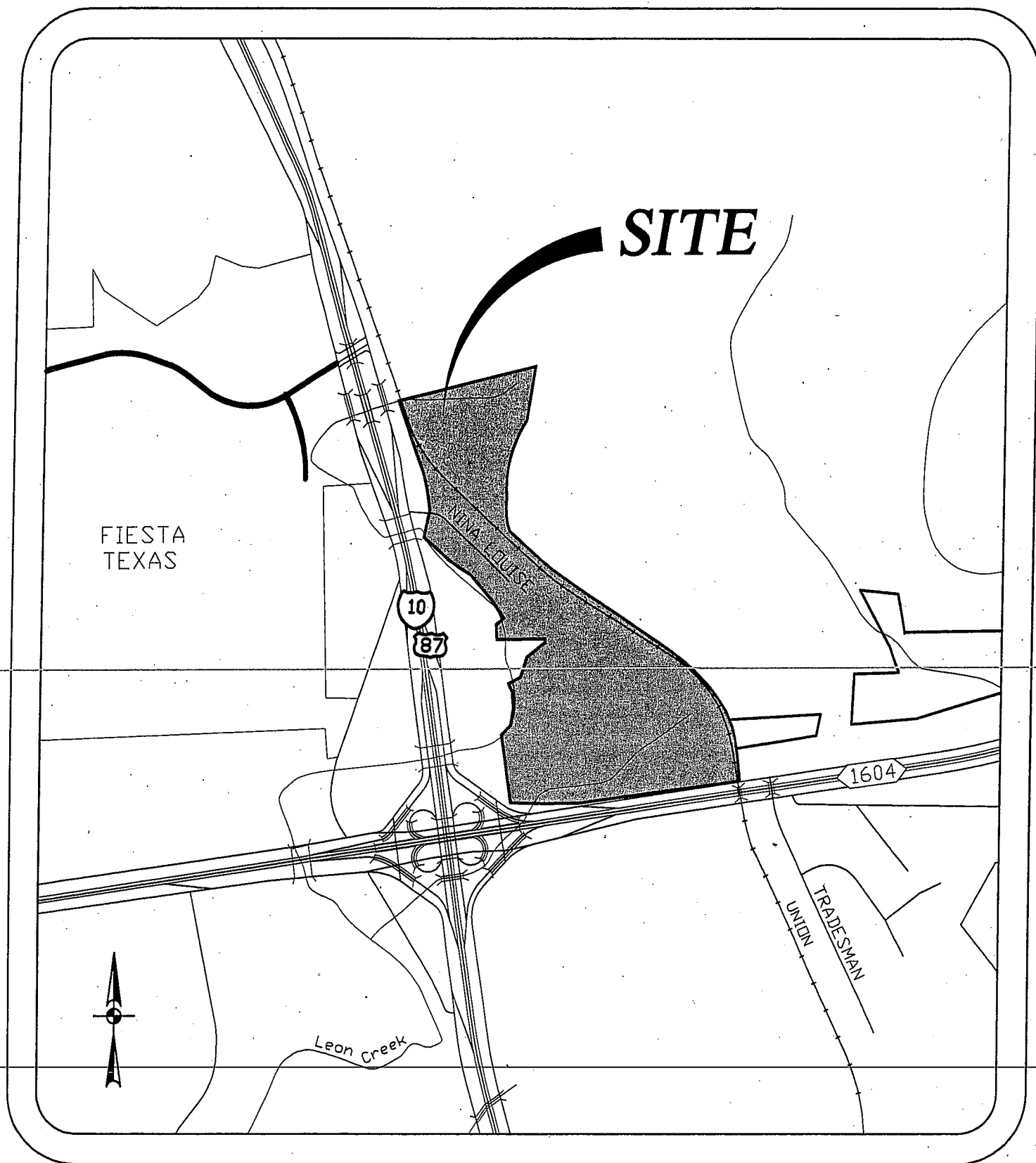
78256

78249

SAN ANTONIO

COUNTY





LOCATION MAP
N.T.S.